

said taxes being for the sum of \$90.56; and for nonpayment of same at maturity, penalty in the sum of \$4.52 has been assessed, and interest in the sum of \$16.44 has accrued, making the total amount of taxes, penalty and interest the sum of \$111.52; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.52 and one-half of the interest in the sum of \$8.22; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$4.52 and one-half of the interest in the sum of \$8.22 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$4.52 and one-half of the interest in the sum of \$8.22 off his rolls, and to issue to the party entitled to receive same, a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

Upon motion, the foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Upon motion, seconded and carried, the meeting was recessed at 11:10 A. M., subject to call of the Mayor.

Approved Bartholomew H. Wolf
Mayor Pro Tem.

Attest:

Hallie M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 5, 1942.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Friday, June 5, 1942, at 10:40 A. M., with Mayor Tom Miller presiding; the meeting having been held on Friday instead of Thursday, the regular meeting day, at the request of the Mayor. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The Minutes of the regular meeting of May 28, 1942, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A written invitation from Major Wm. J. Lawson, Commanding Officer of the Fifth Battalion, Texas National Guard, inviting the City Council to be present at the Birthday celebration of said Battalion in Zilker Park on June 8, was received; and the City Clerk was instructed to notify the said Commanding Officer of the Council's acceptance of same.

The following memorandum from J. E. Motheral, City Engineer, submitted by Acting City Manager Seaholm, was received and ordered filed:

Memorandum to Mr. Seaholm:

June 5, 1942.

Re: Petition for Grading and Graveling
Hether Street and Bauerle Avenue

Hether Street from Kinney Avenue to Oxford Avenue is graveled and in good shape. From Oxford Avenue west about 125 feet it is surfaced with a light coat of gravel. The remainder of the block west to Goodrich Avenue has never been opened and has no houses abutting on it. From Goodrich Avenue west about 300 feet the street is graveled and in fair shape. The remainder of the block west to Blue Bonnet Lane has never been opened and has no houses facing it. We estimate that it would cost about \$1185.00 to grade the unopened portion of the street and to surface it with 4 inches of gravel.

Bauerle Avenue has never been opened and has no houses facing on it. We estimate that it would cost about \$800.00 to grade and gravel this street.

There seems to be little justification for the above expenditure where no development has been made and likely no building can be done until after the present emergency.

(Signed) J. E. Motheral
City Engineer.

Councilman Bartholomew offered the following resolution and moved its adoption:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a private boat dock on the property owned by the Capital Council Area of the Boy Scouts of America as described in the Travis County Deed Records and known as Camp Tom D. Wooten, on the shore of Bull Creek, and hereby authorizes the said Capital Council Area of the Boy Scouts of America to construct, maintain and operate this private boat dock subject to same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this private boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire, and health regulations, and the right of revocation is retained if, after hearing, it is found by the City Council that the said Capital Council Area of the Boy Scouts of America has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.
(Recommendations Attached)

"Austin, Texas
June 3, 1942

Mr. Walter E. Seaholm
Acting City Manager
Austin, Texas

Dear Sir:

The undersigned has reviewed the plans and has considered the application of the Capital Council Area of the Boy Scouts of America, owners of a piece of property abutting on Bull Creek, known as Camp Tom D. Wooten, and listed in the Travis County Deed Records, for permission to construct and maintain a private boat dock projecting out into Bull Creek approximately 16 feet.

We recommend that the Capital Council Area of the Boy Scouts of America be granted permission to construct and maintain said private boat dock subject to the following conditions:

(1) That nothing but creosoted or cedar piles and heavy iron bolts be used in the construction of this pier, dock, or wharf.

(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Bull Creek.

(3) That no structure shall extend into Bull Creek more than fifty (50) feet beyond normal high water, or more than one-third the distance from shore to shore at point where structure is located.

(4) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

Respectfully submitted,

(Sgd) J. C. Eckert
Building Inspector. "

The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford offered the following resolution and moved its adoption:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in WEST 37TH STREET from a point 197 feet west of Lawton Avenue easterly 74 feet, the centerline of which gas main shall be 13.5 feet south of, and parallel to, the north property line of said West 37th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

- (2) A gas main in RALEIGH AVENUE across Bridle Path intersection, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Raleigh Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following applications for licenses to operate private boats were submitted:

Name and Address of Applicant:

Description of Boat

Bailey, Howard A. - 912 West Monroe Street

Home-made, Flat-bottom, Fishing Boat, three years old, 3-passenger

Cooper, William Sidney - 1008 Congress Avenue

Montgomery, Outboard, 1939 Model, Johnson, 4-passenger

Garrett, P. J. and Ira - 2202 Lake Boulevard

Home-made, Row Boat, New, 2-passenger

Richardson, D.R. - 903 Edgecliff

Meade, Outboard, Muncy, 2-passenger

Councilman Bartholomew moved that the applications be granted, subject to the approval of the Lake Austin Navigation Board. The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The City Council unanimously approved a message to be sent by the Mayor to our Congressman and United States Senators, protesting the proposed nation-wide gasoline rationing,

Councilman Gillis introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE PORTION OF THE ROUTE OF U. S. HIGHWAY NO. 81 IN THE CITY OF AUSTIN HEREINAFTER REFERRED TO AS THE "STREET PROJECT" AND AUTHORIZING THE ACTING CITY MANAGER OF THE CITY TO EXECUTE AND THE CITY SECRETARY TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, CONSTRUCTION, EXISTENCE AND USE OF SAID STREET PROJECT; FOR THE PAYMENT, BY THE STATE OF TEXAS, OF THE CONSTRUCTION COSTS OF SAID STREET PROJECT; FOR THE ASSUMPTION, BY THE CITY, OF ALL DAMAGES TO ADJOINING, ABUTTING AND OTHER PROPERTY AND BUSINESS AND TO TENANT OR OCCUPANT THEREOF; FOR THE PROTECTION OF THE STATE OF TEXAS AGAINST ALL SUCH DAMAGES AND EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

The Ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the Ordinance be placed on its second reading. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the Ordinance be placed on its third reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Ordinance was read the third time and Councilman Gillis moved that the Ordinance be finally passed. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the Ordinance had been finally passed.

The application of Robert H. Delancey, 300 Congress Avenue, for a taxicab license was submitted. Councilman Alford moved that the application be granted, in accordance with the recommendations of the Acting City Manager. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A written request from the Ridgetop Committee, asking that no unfavorable action be had on their petition for extension of bus service to Ridgetop, pending additional information and signatures on said petition, was received and filed.

J. F. Springfield, General Manager of the Austin Transit Company, was present and discussed with the Council the proposed extension of bus service to the eastern part of Ridgetop and adjacent territory, agreeing that the extension would be made if he can satisfy the requirements under which he can get his busses.

Councilman Wolf offered the following resolution and moved its adoption:

WHEREAS, W. E. Seaholm, Acting City Manager, has reported that Brackenridge Hospital additions, remodeling and repairs have been completed by the Rex D. Kitchens Construction Company; and

WHEREAS, the Associated Hospital Architects report that the work under the contract of the Rex D. Kitchens Construction Company has been completed in accordance with the plans, specifications, and change orders; and

WHEREAS, the Associated Hospital Architects have recommended that final payment be made to the Contractor; and

WHEREAS, the City Council is of the opinion that the work should be finally accepted; now, therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said contract and the works thereunder is hereby accepted, and the City Manager is hereby authorized and directed to pay the final estimates, including all authorized change orders.

The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

(Recommendations of Associated Architects
Attached to foregoing Resolution)

" ASSOCIATED HOSPITAL ARCHITECTS
131 W. Seventh Upstairs
Austin, Texas
June 3, 1942

Mr. Walter Seaholm
Acting City Manager
City of Austin, Texas

Subject: Brackenridge Hospital.

Dear Mr. Seaholm:

We wish to state that work done by Rex D. Kitchens Construction Company at Brackenridge Hospital has been completed in accordance with plans, specifications, and change orders. Acceptance of work and payment of final estimates is recommended by the Associated Hospital Architects.

Yours very truly,

ASSOCIATED HOSPITAL ARCHITECTS

By C. H. Page. "

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Upon motion, seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attest:

Hallie M. Keller
City Clerk